

United States District Court

EASTERN DISTRICT OF TEXAS
SHERMAN DIVISION

NATHAN E. BURGESS

v.

DR. BENJAMIN BASSICHIS, ET AL.

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Civil Action No. 4:18-CV-681

(Judge Mazzant/Judge Nowak)

MEMORANDUM ADOPTING REPORTS AND RECOMMENDATIONS OF UNITED STATES MAGISTRATE JUDGE

Came on for consideration the reports of the United States Magistrate Judge in this action, this matter having been heretofore referred to the Magistrate Judge pursuant to 28 U.S.C. § 636. On August 11, 2020, the reports of the Magistrate Judge (Dkts. #144; #145) were entered containing proposed findings of fact and recommendations that the Bassichises' Motion to Dismiss (Dkt. #92) and the City Defendants' Amended Motion to Dismiss (Dkt. #103) each be denied as moot in light of the filing of Defendants' Motions for Summary Judgment. Plaintiff acknowledged receipt of the reports on August 15, 2020 (Dkt. #147); Plaintiff's email address is on the electronic service list (Dkt. #5). Plaintiff subsequently filed a Notice on August 21, 2020, of his intent to file an amended complaint (Dkt. #148). On the same day, the Magistrate Judge entered an order reiterating that, notwithstanding, Plaintiff's deadline to file objections to the aforementioned Reports and Recommendation (Dkts. #144; #145) is Monday, August 31, 2020 (Dkt. #149). Plaintiff did not file objections.

Having received the reports of the United States Magistrate Judge, and no objections thereto having been timely filed, the Court is of the opinion that the findings and conclusions of the Magistrate Judge are correct and adopts the Magistrate Judge's reports as the findings and conclusions of the Court.

It is therefore **ORDERED** that the Bassichises' Motion to Dismiss (Dkt. #92) and the City Defendants' Amended Motion to Dismiss (Dkt. #103) are each **DENIED AS MOOT**.

IT IS SO ORDERED.

SIGNED this 3rd day of September, 2020.

A handwritten signature in black ink, reading "Amos Mazzant", written over a horizontal line.

AMOS L. MAZZANT
UNITED STATES DISTRICT JUDGE